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Commission on Crime Prevention and Criminal Justice
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Integration and coordination of efforts by the United Nations Office on Drugs and Crime and Member States in the field of crime prevention and criminal justice

Japan: draft resolution

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolution for adoption by the General Assembly:

Technical assistance for implementing the international conventions and protocols related to counter-terrorism

The General Assembly,

Recalling all General Assembly and Security Council resolutions related to technical assistance in countering terrorism, and especially the most recent resolutions such as General Assembly resolutions 68/178 of 18 December 2013, on protection of human rights and fundamental freedoms while countering terrorism, 68/187 of 18 December 2013, on technical assistance for implementing the international conventions and protocols related to counter-terrorism, 69/127 of 10 December 2014, on measures to eliminate international terrorism, 69/197 of 18 December 2014, on strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity, and 68/276 of 13 June 2014, on the United Nations Global Counter-Terrorism Strategy Review, Security Council resolution 2178 (2014) of 24 September 2014, on countering foreign terrorist fighters, and Security Council resolution 2195 (2014) of 19 December 2014, on countering terrorism and transnational organized crime,

Stressing again the need to strengthen international, regional and subregional cooperation to effectively prevent and combat terrorism, in particular by enhancing

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the national capacity of States through the provision of technical assistance, based on the needs and priorities identified by requesting States,

Recalling its resolution 68/187 in which, inter alia, it called upon the United Nations Office on Drugs and Crime to continue to provide technical assistance, upon request, for building the capacity of Member States to become a party to and implement international conventions and protocols related to terrorism, including through targeted programmes and the training of relevant criminal justice officials, the development of and participation in relevant initiatives and the elaboration of technical tools and publications, in consultation with Member States,

Reiterating all aspects of the United Nations Global Counter-Terrorism Strategy[1] and the need for States to continue to implement the Strategy, as reaffirmed in General Assembly resolution 68/276,

Reiterating also that it is the primary responsibility of Member States to implement the United Nations Global Counter-Terrorism Strategy, and recognizing the need to enhance the important role that the United Nations plays, in coordination with other international, regional and subregional organizations, in facilitating coherence in the implementation of the Strategy at the national, subregional, regional and international levels and in providing assistance, especially in the area of capacity-building, as affirmed in pillar III of the Strategy,

Recalling its resolution 68/276, in which it reaffirmed the Strategy, noted with appreciation the activities undertaken in the area of capacity-building by United Nations entities, including the Counter-Terrorism Implementation Task Force entities, inter alia, the United Nations Office on Drugs and Crime, in coordination with other relevant international, regional and subregional organizations, to assist Member States, upon their request, in implementing the Strategy, and encouraged the Task Force to ensure focused delivery of capacity-building assistance, including in the framework of the Integrated Assistance for Countering Terrorism Initiative,

Recalling also that in its resolution 68/276 it expressed concern at the increasing flow of international recruits to terrorist organizations, including foreign terrorist fighters, and at the threat that that posed for all Member States, including countries of origin, transit and destination,

Recalling further that in its resolution 68/276 it also expressed concern at the increase, in some regions, in incidents of kidnapping and hostage-taking committed by terrorist groups, for any purpose, including with the aim of raising funds or gaining political concessions, and noted that ransoms paid to terrorists were used as one of the sources of funding for their activities, including further kidnappings,

Noting with deep concern the growing links between transnational organized crime and terrorist crimes, including links that, in some cases, exist between illicit financial flows linked to drug trafficking and the financing of terrorism, and emphasizing the need to enhance cooperation at the national, subregional, regional and international levels in order to strengthen responses to that evolving challenge,

Recognizing the essential role of the United Nations Office on Drugs and Crime within the entities of the Counter-Terrorism Implementation Task Force in

[1] Resolution 60/288.

countering the financing of terrorism and in legal and criminal justice responses to terrorism,

Affirming that States must ensure that any measure taken to combat terrorism complies with all their obligations under international law,

Recalling the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[2] adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice,

Taking note of the ongoing work by the United Nations Office on Drugs and Crime with regard to the preparation of good practices, in close coordination with Member States, on countering the financing of terrorism, on legal and criminal justice responses, and on assistance to and support for victims of terrorism, including the role of victims within the criminal justice framework,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

1. *Urges* Member States that have not yet done so to consider becoming parties to the existing international conventions and protocols related to counter-terrorism, and requests the United Nations Office on Drugs and Crime, within its mandate, in close coordination with the relevant entities of the Counter-Terrorism Implementation Task Force, to continue to provide technical assistance to Member States for the ratification and legislative incorporation of those international legal instruments;

2. *Urges* Member States to continue to strengthen international coordination and cooperation in order to prevent and combat terrorism in accordance with international law, including the Charter of the United Nations, to fully implement the relevant Security Council resolutions that address the phenomenon of foreign terrorist fighters, to counter the financing of terrorism, including through hostage-taking and kidnapping for ransom, to enter, when appropriate, into bilateral, regional and multilateral treaties on extradition and mutual legal assistance, and to ensure adequate training of all relevant personnel in executing international cooperation activities, and requests the United Nations Office on Drugs and Crime, within its mandate, to provide technical assistance to Member States to that end, including by continuing and enhancing its assistance related to international legal cooperation pertaining to countering terrorism and fostering the development of strong and effective central authorities for international cooperation in criminal matters;

3. *Stresses* the importance of the development and maintenance of effective, fair, humane and accountable criminal justice systems, in accordance with applicable international law, as a fundamental basis of any strategy to counter terrorism, and requests the United Nations Office on Drugs and Crime, whenever appropriate, to take into account in its technical assistance to counter terrorism the elements necessary for building national capacity in order to strengthen criminal justice systems and the rule of law;

[2] A/CONF.222/17, chap. I, resolution 1.

4. *Calls upon* the United Nations Office on Drugs and Crime to continue to strengthen the provision of technical assistance to Member States, upon request and within its mandate, on effective measures, based on the rule of law, for criminal justice responses addressing the prevention of terrorism, including violent extremism that leads to terrorism;

5. *Also calls upon* the United Nations Office on Drugs and Crime to continue to provide technical assistance, upon request, for building the capacity of Member States to become a party to and implement international conventions and protocols related to terrorism, including through targeted programmes and the training of relevant criminal justice officials, the development of and participation in relevant initiatives and the elaboration of technical tools and publications, in consultation with Member States;

6. *Requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to develop specialized legal knowledge in the area of counter-terrorism and pertinent thematic areas of relevance to the mandate of the Office and to provide assistance to requesting Member States with regard to criminal justice responses to terrorism, including, where appropriate, nuclear terrorism, the financing of terrorism and the use of the Internet for terrorist purposes, as well as assistance to and support for victims of terrorism, and with regard to transport-related terrorism offences, countering foreign terrorist fighters, countering kidnapping for ransom, links between terrorism and organized crime, and human rights in criminal justice responses;

7. *Also requests* the United Nations Office on Drugs and Crime to support Member States in addressing the threat of foreign terrorist fighters, through its capacity-building activities, by providing technical assistance to Member States with regard to enhancing their cooperation and developing relevant measures to combat the phenomenon and appropriate criminal justice responses to prevent the financing, mobilization, travel, radicalization to violence, recruitment and organization of foreign terrorist fighters, and to ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice in compliance with obligations under international law and applicable domestic law;

8. *Encourages* Member States to collaborate closely and exchange relevant information, particularly information referred to in Security Council resolution 2178 (2014), as well as to cooperate and to address, as appropriate, including through the effective exchange of information and sharing of experiences and best practices, any existing, growing and potential links between transnational organized crime and terrorist activities, including illicit drug-related activities, money-laundering and the financing of terrorism, in order to enhance criminal justice responses to terrorism, and calls upon the United Nations Office on Drugs and Crime, within its relevant mandates, to support the efforts of Member States in this regard, upon request;

9. *Requests* the United Nations Office on Drugs and Crime to support, through its capacity-building activities, as appropriate, Member States by providing technical assistance to develop their capability to prevent future incidents of kidnapping and hostage-taking by terrorists, prevent terrorists from benefiting from ransom payments and political concessions and to cooperate with other Member

States, as appropriate, during incidents of kidnapping and hostage-taking committed by terrorist groups;

10. *Also requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to develop its specialized legal knowledge in close consultation with Member States, to continue to provide specialized technical assistance to requesting Member States so as to counter the use of the Internet for terrorist purposes, in particular radicalization to violence, recruitment and the financing or planning of terrorist attacks, while fully respecting human rights and fundamental freedoms, and to encourage the use of the Internet as a tool for countering the spread of terrorism;

11. *Urges* the United Nations Office on Drugs and Crime to continue to strengthen its cooperation with international organizations and relevant entities of the United Nations system, as well as with international, regional and subregional organizations and arrangements, in the delivery of technical assistance, whenever appropriate;

12. *Requests* the United Nations Office on Drugs and Crime to continue to give high priority to the implementation of an integrated approach through the promotion of its regional and thematic programmes, including by assisting States, as requested, with the further elaboration and development of national, subregional and regional counter-terrorism strategies;

13. *Takes note with appreciation* of the ongoing joint initiatives developed by the United Nations Office on Drugs and Crime and the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) and its Executive Directorate, as well as by the United Nations Office on Drugs and Crime and the Counter-Terrorism Implementation Task Force;

14. *Expresses its appreciation* to Member States that have supported the technical assistance activities of the United Nations Office on Drugs and Crime;

15. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations;

16. *Requests* the Secretary-General to submit to the General Assembly at its seventy-first session a report on the implementation of the present resolution.